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UNCLAS YEREVAN 001268

SIPDIS

SENSITIVE

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TAGS: PHUM PGOV AM

SUBJECT: ARMENIA'S ALTERNATIVE MILITARY SERVICE LAW:
IMPLEMENTING REGULATIONS NOT YET IN PLACE

REF: YEREVAN 2439

1. (U) Sensitive but unclassified. Please protect accordingly.

SUMMARY

2. (SBU) The GOAM has not drafted implementing regulations for its alternative military service legislation, which went into effect June 1. The GOAM delayed creating the regulations because the law is due to be amended in the current session of the National Assembly and because the current law states it will first apply to new draftees in Fall 2004. The GOAM has not planned procedures for reviewing the cases of draft evaders or conscientious objectors currently in prison. End Summary.

REGULATIONS DELAYED

3. (SBU) Armenia's law on alternative military service came into force June 1, but the GOAM has not begun drafting implementing regulations. According to an expert on the National Assembly's Standing Committee on Defense, National Security, and Interior, the commission to draft the necessary implementing regulations has not yet met. Commission members knew, he said, that the National Assembly intended to amend the base legislation during the current session, which would invalidate any work done by the commission prior to that point. He told us that the National Assembly would either consider the alternative military service amendments by the end of this session, June 9, or it would call a special session to complete the legislative agenda. According to the expert, the members of the National Assembly Standing Committee on Defense, National Security, and Interior have already drafted the proposed amendments in conjunction with the Ministry of Defense. He stated that the most important amendment would replace local draft boards with a centralized, special council, charged with adjudicating applications for alternative military service, and predicted that after adopting the proposed amendments, the GOAM would create a new commission to draft the implementing legislation.

NO HURRY

4. (SBU) Armenia drafts young men into the army twice yearly: in the spring and in the fall. Since the legislation states that the law will not affect draftees until Fall 2004, the Committee Expert stated that the GOAM feels no urgency to clarify procedures until that time.

UNADDRESSED ISSUES

5. (SBU) When the National Assembly drafted the alternative military service law, several human rights NGOs and the Jehovah's Witnesses objected that alternative service would last 18 months longer than the two-year military service (reftel). None of the proposed amendments address this issue. The alternative service law, as currently written, states that conscientious objectors in prison may apply for alternative military service. Precisely how those conscientious objectors might apply, however, will only be clear once implementing regulations are in place. According to local NGOs, as of March 29, 2004, 20 conscientious objectors were serving their sentences and three more awaiting trial.

ORDWAY